

**FILED**

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MAY 19 2008 EA  
MAY 19 2008MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOISSCANNED at PCC and E-Mailed  
4-29-08 (date) by SE (initials)  
3 (# of pages)DREW TERRELL,  
Petitioner,

vs.

Case No. 07-1208

EDDIE JONES, et al.,  
Respondent(s).NDIL  
08-2328QUASI MOTION FOR REPLEADER AND/OR TO ALTER OR AMEND JUDGMENT

NOW COMES Petitioner Drew Terrell, pro se (hereinafter, the "Movant"), and respectfully move this Honorable Court pursuant to 28 U.S.C., sec. 2254, for repleader of venue and/or alter or amend this Court's April 18, 2008 "ORDER" to transfer the above cause from the Central District of Illinois to the Northern District of Illinois.<sup>1</sup> In support thereof, the Movant states as follows:

1. Movant believes and assert that this Court's transfer of his case was based on based on an incorrect assumption that this Court did not have venue or that venue was improper, when, in fact, venue was proper before the Central District of Illinois by virtue of the fact that the Movant is currently confined in Livingston County in Pontiac, Illinois. See *Pischke v. Litscher*, 178 F.3d 497, 499 (7th Cir. 1999) (habeas petitions properly filed in district of confinement or sentencing). Accordingly, venue is properly before this Court.

2. The relief sought is for this Court to perfect a transfer of his case back before the Central District of Illinois.

Date: 4/28/2008

/s/ Drew Terrell  
DREW TERRELL,PONTIAC CORRECTIONAL  
CENTER,  
REGISTRY NUMBER: N-  
63220,  
700 W. LINCOLN AVE.,  
PONTIAC, ILLINOIS  
61764.

FN 1: A true and correct copy of the April 18, 2008 "ORDER", is attached hereto.

VERIFICATION

I swear the foregoing is true and correct in fact and in substance, except those matter based on information and belief, under the penalty of perjury as provided by 18 U.S.C. 1746 or 735 ILCS 5/1-109 (West 2008).

/s/ Terrill, Drew  
Affiant

**E-FILED**Friday, 18 April, 2008 02:39:10 PM  
Clerk, U.S. District Court, ILCD**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS**

DREW TERRELL,

Petitioner,

v.

EDDIE JONES, et al.,

Respondents.

Case No. 07-1208

**ORDER**

Before the Court is a Petition for a Writ of Habeas Corpus filed under 28 U.S.C. § 2254. [Doc. 4.] For the following reasons, this case is transferred to the Northern District of Illinois.

It is generally thought that the proper venue for a habeas petition under § 2254 is in the district where the petitioner was convicted. Braden v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484, 493-94 (1978).<sup>1</sup> Based upon the Petition before the Court, Petitioner was convicted of felony murder in Cook County, Illinois. Accordingly, the proper venue for this matter is the Northern District of Illinois.

IT IS THEREFORE ORDERED that this case be transferred to the Northern District of Illinois.

CASE TERMINATED.

ENTERED this 18th day of April, 2008.

s/Joe B. McDade  
JOE BILLY McDADE  
United States District Judge

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<sup>1</sup> See also, Carter v. McCann, 07-1222, 2008 WL 718395 (C.D. IL March 14, 2008), where this Court accepted a § 2254 petition transferred from the Northern District of Illinois.